

Message Text

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PAGE 01 MADRID 05401 151937Z
ACTION SCS-05

INFO OCT-01 EUR-12 ISO-00 SCA-01 L-03 /022 W
-----074602 160819Z /10

R 151808Z JUL 77
FM AMEMBASSY MADRID
TO SECSTATE WASHDC 1062

UNCLAS MADRID 5401

E.O.11652: N/A
TAGS: CGEN
SUBJECT: TAKING OF DEPOSITION IN SPAIN

REF: STATE 124052

1. FOR DEPARTMENT'S INFORMATION ATTORNEY GARRET GRAHAM CALLED AT EMBASSY ON JUNE 19 REGARDING DEPOSITIONS OF SPANISH NATIONALS IN CASE NOW PENDING CALIFORNIA COURT. AT TIME HE STATED TO CONOFF THAT HE HAD BEEN BRIEFED BY DEPARTMENT FULLY CONCERNING THE TAKING OF DEPOSITIONS IN SPAIN AND HAD ALREADY SOLVED THE PROBLEM BY ARRANGING TO HAVE HIS WITNESSES IN PONTEVEDRA, SPAIN GIVE THEIR STATEMENT TO LOCAL NOTARY: HE STATED THIS ACCPETABLE TO U.S. COURT, AND ASKED FOR NO NOTARIAL SERVICES OF ANY KIND IN CONNECTION WITH THE STATEMENTS TAKEN BY THE NOTARY ENGAGED BY HIM. THE PRINCIPAL PURPOSE OF GRAHAM'S VISIT WAS TO ASSIST IN ARRANGING NIV FOR FOUR OTHER WITNESSES WHO WILL GIVE THEIR TESTIMONY FIRECTLY TO US DISTRICT COURT IN CALIFORNIA VISAS FOR FOUR SPANISH NATIONALS WERE ISSUED AND WE UNDERSTAND THEY ARE NOW IN THE US.

2. DEPARTMENT IS CORRECT IN ASSUMPTION THAT EMBASSY HAS NO INFORMATION REGARDING LEGALITY UNDER SPANISH LAW OF A DEPOSITION TAKEN BY A PERSON OTHER THAN A CONSULAR OFFICER, AND CONVERSATION WITH GRAHAM CONCERNING THIS POINT FOLLOWED LINES SUGGESTED BY DEPARTMENT IN REFTEL.
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3. WITH REGARD ORSINI CASE, MFA SUBSEQUENTLY ADVISED EMBASSY (AFTER WINESS DEPOSED IN U.S.) THERE WOULD BE NO PROHITITION AGAINST TAKING DEPOSITION IN THAT PARTICULAR CASE. EMBASSY DID NOT PURUSE OR PRESS GOS OR QUESTION OF CONDITIONS FOR TAKING DEPOSITIONS IN SPAIN, AS IT CLEARLY PREFABLE TO

LET SLEEPING DOGS LIE.
STABLER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 15-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Format: TEL
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Handling Restrictions: n/a
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Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
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SAS ID: 1850387
Secure: OPEN
Status: NATIVE
Subject: TAKING OF DEPOSITION IN SPAIN
TAGS: CGEN
To: STATE
Type: TE
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